

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814



September 18, 1996

ALL COUNTY LETTER 96-51

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: **IMPLEMENTATION INSTRUCTIONS FOR THE FOOD STAMP PROGRAM UNDER THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

As you are aware, on August 22, 1996, the President signed the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The United States Department of Agriculture, Food and Consumer Service (FCS) has provided an implementation letter summarizing changes to the Food Stamp Program contained in the Act, requiring the state to implement the changes by September 22, 1996. The purpose of this letter is to provide County Welfare Departments (CWDs) with instructions for implementing these provisions of the PRWORA. While additional implementation steps will be taken, in the interim the provisions in Attachment I must be followed in order to assure compliance with federal law. CDSS has been notified by FCS that these provisions must be implemented by the state **no later than September 22, 1996** in order for the 120 day "hold harmless" period for Quality Control reviews to be in effect. Other provisions of the PRWORA have future implementation dates or are conditionally effective only at state option. These provisions and instructions will be provided in future transmittals.

**QUALITY CONTROL**

Beginning 30 days after enactment, there will be a 120-day variance exclusion (hold harmless) period for states that have implemented the provisions of the PRWORA. During this period, reviewers will identify all variances resulting from the misapplication of the new provisions, but exclude them from the error rate calculation.

**STUFFER NOTICE**

FCS has notified CDSS that states must provide notification to the public and to recipients of the changes in alien eligibility. CDSS will provide notification to the general public as required. These various changes in the law have been incorporated into the attached stuffer (Attachment II), the TEMP FS16 (9/96). This form notifies recipients of the new alien provisions as well as other changes which require mass notification. Prior to duplication,

CWDs must ensure that this notice contains the county specific address which recipients should use to send written state hearing requests. This notice must be provided to all recipient households prior to any related case actions or recertification, but no later than November 1, 1996.

### APPLICATION ADDENDUM

Also provided is the TEMP 2131 (9/96), the Addendum to Food Stamp Application (Attachment III). This form must be provided to all households at initial application and recertification. This form is necessary to capture information required by some of the changes contained in the PRWORA and contains a penalty of perjury statement. This information will be integrated into the application forms as soon as administratively possible.

### TRANSLATIONS

Counties that need a camera-ready copy of the stuffer and addendum notice should call:

- For English and Spanish: the Forms Management Bureau at (916) 657-1907 or CALNET 437-9307.
- For the Asian language versions (Chinese, Cambodian, and Vietnamese): the Language Services Bureau at (916) 654-1305 OR CALNET 464-1305. These translations will be forwarded to the County Forms Coordinator when available.

If you have any questions regarding Fraud provisions, contact Barbara Cox at (916) 445-2757. For questions regarding Sanctions for Work Requirements, contact Karen Kennedy at (916) 657-3400. Any other questions should be directed to the Food Stamp Policy Implementation Unit at (916) 654-1896.



BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division

Attachments

M.S. 63-102h(2)(c)DEFINITIONSPRWORA

Provides a time limit of 90 days in which an individual whose nighttime residence is a temporary accommodation in the residence of another person may be considered homeless. Implement no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

IMPACT

Current regulations provide no time limit for an individual in these circumstances being considered homeless. PRWORA establishes that such individuals may be considered homeless for a maximum of 90 days.

M.S. 63-301.513 and .531(a)EXPEDITED SERVICEPRWORA

Changes expedited service (ES) timeframe to a maximum of seven calendar days and eliminates homelessness as an eligibility factor for expedited service. Implement the homeless provision only no later than September 22, 1996 for new applicants.

IMPACT

The change to a seven day ES timeframe currently has no impact in California. State statutes at Section 18914 of the Welfare and Institutions Code requires that applicants who meet the criteria for ES shall have benefits available no later than the third day following the date the application was filed. No change in this requirement is anticipated.

Current regulations establish that homeless households are eligible for ES without regard to the other eligibility requirements for ES listed in M.S. 63-301.51. This change eliminates homelessness as a "stand alone" eligibility factor for ES. Homeless households must now qualify for ES based on one of the other requirements in M.S. 63-301.51.

M.S. 63-402.142(a)(2)HOUSEHOLD CONCEPTPRWORA

Removes the separate household status exception for children who live with their parents. Children under 22 years of age who have children or are married and living with their spouses who live with their parents are no longer entitled to apply for separate household status. Implement no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

IMPACT

Current regulations [M.S. 63-402.142(a)(2)] provide that separate household status can be granted to children living with their parents if certain conditions are met. These conditions are no longer in effect. Children under age 22 who live with their parents and their own spouses or children must be included in the same household as their parents.

**M.S. 63-403**  
**CITIZENSHIP AND ALIEN STATUS**

**PRWORA**

Provides that legal noncitizens who are "qualified aliens" (i.e., permanent resident aliens, refugees, asylees, aliens paroled into the United States for a period of at least one year, and aliens whose deportation has been withheld) are ineligible for food stamp benefits with the following exceptions:

1. Refugees admitted under section 207 of the Immigration and Nationality Act (INA), asylees admitted under section 208 of the INA, and aliens whose deportation has been withheld under section 243(h) of the INA may receive food stamps for 5 years after the date they were admitted to the United States or granted asylum.
2. Legal permanent aliens who have 10 years (40 qualifying quarters) of qualifying employment, or noncitizens who are veterans or on active military duty (or their spouse or unmarried child) may receive food stamps for an unlimited period.

These provisions must be implemented no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997). If unable to implement these provisions by September 22, 1996 for new applicants, CWDs are advised to flag such cases for future action and information. We have received direction from FCS that CWDs may extend existing certification periods of all households containing participating alien members to 12 months (24 months for households in which all adult members are elderly or disabled), if necessary, to implement these provisions. However, no certification period may exceed 12 months (unless all adult members are elderly or disabled), and implementation must be accomplished no later than August 22, 1997, as stated above.

**IMPACT**

These changes supersede existing regulations (M.S. 63-403) which define the categories of aliens currently eligible for food stamp benefits. Only United States citizens and legal aliens listed above may remain eligible provided that all other eligibility requirements are satisfied.

**VERIFICATION OF ALIEN STATUS**

M.S. 63-300.51(b) lists the acceptable forms and documents necessary to provide verification of an individual's alien status. CWDs are to continue using this section until such time that M.S. 63-403 and 63-300.51(b) are revised.

**QUALIFYING EMPLOYMENT**

Aliens who have worked 10 years (40 qualifying quarters as defined by Title II of the Social Security Act, 42 United States Code, Section 413), or can be credited with such qualifying quarters can remain eligible for food stamps. Under the law, a qualifying quarter includes one worked by a parent of an alien while the alien was under 18 years of age and a quarter worked by a spouse during their marriage if the alien remains married to the spouse or the spouse is deceased. Beginning January 1, 1997, any quarter in which the alien received any federal means-tested public benefit is not counted as a qualifying quarter.

### **VERIFICATION OF QUALIFYING EMPLOYMENT**

Documentary evidence, as stated in M.S. 63-300.541, is the preferable method of verification for quarters of qualifying employment. Such documentation includes, but is not limited to; the Personal Earnings and Benefit Estimate Statement (PEBES) from the Social Security administration (SSA), W-2 forms, wage stubs, and statements from employers. If the applicant or recipient is unable to provide other documentary evidence, a self-certification statement from the household is acceptable verification until a PEBES is received. Any self-certification statement must include dates of employment, name of employer, and approximate income earned for the quarters covered by the statement. Self-certification statements must be signed under penalty of perjury. Applicants requesting a PEBES must submit the form SSA 7004, which is available at SSA district offices or can be obtained by contacting SSA's toll-free telephone number. The PEBES must be provided to the CWD by the applicant or recipient upon its receipt.

### **M.S. 63-502.2(b)(2)(D)** **INCOME, EXCLUSIONS AND DEDUCTIONS**

#### **PRWORA**

Provides that vendor payments for transitional housing [transitional housing is defined in M.S. 63-102(t)(5)] for the homeless are no longer excluded as income. Implement no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

#### **IMPACT**

Current regulations exclude housing assistance payments made to a third party on behalf of a household residing in transitional housing for the homeless. Such payments will no longer be excluded.

### **M.S. 63-502.2(b)(2)(C) and M.S. 63-507(a)(5)** **INCOME, EXCLUSIONS AND DEDUCTIONS**

#### **PRWORA**

Limits the energy assistance exclusion to (1) Federal energy assistance except that provided under Title IV-A of the Social Security Act (welfare block grant), and (2) Federal or State one-time assistance for weatherization or emergency repair or replacement of heating or cooling devices.

However, the provision in the Low-Income Home Energy Assistance Act (LIHEAA) that requires that all expenses met with LIHEAA payments be regarded as out-of-pocket expenses qualifying for SUAs is retained.

Further, this provision excludes from income State or local general assistance which (under State law) cannot be provided in cash directly to households. This provision does not currently apply in California.

An expense paid on behalf of a household under State law to provide energy assistance is considered an out-of-pocket expense incurred and paid by the household under the new provisions.

Implement the above provisions no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

**IMPACT**

Currently, regulations exclude payments or allowances made under any federal, state or local laws for the purpose of energy assistance. The exclusion is now limited as stated above.

**M.S. 63-502.2(i)**

**INCOME, EXCLUSIONS AND DEDUCTIONS**

**PRWORA**

Excludes from income the earnings of elementary and secondary school students who are 17 or younger. Implement no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

**IMPACT**

Currently regulations exclude the income of elementary and secondary students who have not attained their 22nd birthday at the beginning of the budget month. The exclusion is now limited to students who have not attained their 18th birthday at the beginning of the budget month. We have been notified by FCS that August CA-7s received after September 22, 1996 must be processed using this new requirement.

**M.S. 63-502.353(c)**

**INCOME, EXCLUSIONS AND DEDUCTIONS**

**PRWORA**

Provides that households are permitted to switch between actual utility costs and the standard utility allowance (SUA) at recertification only. Implement no later than September 22, 1996.

**IMPACT**

Current regulations allow households to switch between actual utility costs and the SUA at recertification and one additional time during a 12 month period. Households will now be permitted to switch at recertification only.

**M.S. 63-102(i)(4)(A)(b), 503.13, 504.362, and 504.618**

**PRORATION OF BENEFITS AFTER BREAK IN CERTIFICATION**

**PRWORA**

Requires proration of benefits after any break in certification, except for migrant and seasonal farmworker households. Implement no later than September 22, 1996 for applicants at initial application and recertification (no later than August 22, 1997).

**IMPACT**

Each of the above referenced manual sections provide that a household's benefits are prorated in the first month of certification following a break in participation of one month or more. The PRWORA provides for proration of benefits after any break in participation (except for migrant and seasonal farmworker households), essentially repealing the provisions of the Mickey Leland Act in this regard.

**M.S. 63-503.311 AND .312**  
**CALCULATING NET INCOME AND BENEFIT LEVELS**

**PRWORA**

Provides that the earned income deduction is not allowed on any portion of income earned under a work supplementation or support program that is attributable to public assistance.

**IMPACT**

Current regulations allow the earned income deduction (M.S. 63-502.32) to be deducted from all non-excluded gross earned income. The deduction is no longer applicable to income earned under a work supplementation or support program attributable to public assistance. A work supplementation or support program is any program in which public assistance is provided to an employer to be used for hiring and employing a public assistance recipient who was not employed by the employer at the time the recipient entered the program. California does not currently have such a program but retains the right to exercise this option in the future.

**M.S. 63-503.49**  
**HOUSEHOLDS WITH SPONSORED ALIENS**

**PRWORA**

Provides that the full amount of income and resources of an alien's sponsor and the sponsor's spouse are counted until the alien becomes a citizen or has worked 40 qualifying quarters of Social Security coverage. Beginning January 1, 1997, a quarter in which the alien received certain federal means-tested assistance is not counted as a qualifying quarter. The deemed income and resources must be reviewed each time an alien applies. Implement no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

**IMPACT**

Supersedes current regulations which provide that portions of the gross income and resources of the sponsor and the sponsor's spouse are deemed to be the unearned income and resources of the sponsored alien for three years following the alien's admission for permanent residence to the United States. The entire gross income and resources of the sponsor and the sponsor's spouse are now deemed as the unearned income and resources of the alien. Additionally, the period of time for deeming has been extended until such time that the alien has worked 40 qualifying quarters or has attained citizenship.

**M.S. 63-503.51 and .512**

**DETERMINING HOUSEHOLD ELIGIBILITY AND BENEFIT LEVELS**

**PRWORA**

Prohibits an increase in food stamp benefits when a household's income is reduced because of a penalty imposed under a federal, state, or local means-tested public assistance program due to the failure of the household to perform an action required by that program for the duration of the penalty. Expands current requirements which penalize households for intentional failure to comply in another means-tested program by not increasing food stamp benefits for the duration of the penalty. Implement no later than September 22, 1996.

**IMPACT**

Current regulations state that the CWD shall not increase food stamp benefits as the result of a penalty that has been imposed for an intentional failure to comply with a federal, state or local means-tested public assistance program, as defined in M.S. 63-502.171. This provision expands the application of this penalty to include any non-compliance with the requirements of the other program resulting in a sanction or disqualification.

**M.S. 63-504.1**

**CERTIFICATION PERIODS**

**PRWORA**

Limits certification periods to 12 months, except that the certification period may be up to 24 months if all adult household members are elderly or disabled. Implement no later than September 22, 1996 for new applicants, at next recertification or when case is next reviewed for recipients (no later than August 22, 1997).

**IMPACT**

Because current regulations limit certification periods to a maximum of 12 months, this provision has no impact in California with the following possible exception. Federal waiver #83-0173 allows Public Assistance (PA) food stamp households to be certified for up to 14 months to align food stamp recertification with the AFDC redetermination. Unless notified by CDSS that this waiver is no longer in effect, CWDs should continue to operate with a 14 month maximum certification period for PA cases.

**M.S. 63-801.311**

**CLAIMS AGAINST HOUSEHOLDS**

**PRWORA**

Provides that the earned income deduction is not allowed when determining an overissuance due to the failure of the household to report income in a timely manner. Implement no later than September 22, 1996 for new applicants, at recertification or when case is next reviewed for recipients (no later than August 22, 1997).

**IMPACT**

Current regulations (M.S. 63-801.323) disallow the 20 percent earned income deduction only in cases in which a finding of Intentional Program Violation (IPV) has been made. The deduction is now disallowed in any case in which the household fails to report income in a timely manner (by the extended filing date), as defined by M.S. 63-505.3 and 63-505.5.



M.S. 63-801.431, 63-801.441, .442, 63-801.722(a)(2), 63-801.723,  
63-801.731, .732, .734, 63-801.737(a), .737(b)  
CLAIMS AGAINST HOUSEHOLDS

PRWORA

Replaces existing overissuance collection rules with provisions requiring states to collect any overissuance by reducing future months benefits, withholding unemployment compensation, recovering from federal pay or income tax refunds, or any other means, unless the state demonstrates that all of the means are not cost effective. Implement no later than September 22, 1996.

IMPACT

Current regulations already allow the above mentioned means of collection for cases involving IPV and Inadvertent Household Error (IHE). This change would also allow such means of collection for cases involving Administrative Error (AE) overissuances. However, the injunction issued in the Aktar v. Anderson court case remains in effect. At such time that CDSS obtains relief from this injunction, CWDs will be notified and implementation instructions for establishing AE claims will be provided. We have been instructed by FCS that CWDs may resume offsetting of AE overissuances against underissuances previously prohibited by the Lopez v. Espy lawsuit (see All County Letter 96-43, dated August 27, 1996).

PRWORA

Limits benefit reductions (except for cases involving IPV) to the greater of 10 percent of the monthly allotment or \$10 per month. Implement no later than September 22, 1996.

IMPACT

Current regulations [M.S. 63-801.737(a)] limit benefit reduction to 10 percent of the household's allotment or \$10, whichever is greater, for IHE claims. However, M.S. 63-801.737(b) currently allows the household to voluntarily repay a negotiated or agreed upon amount for AE claims. This provision is no longer operative, and the 10 percent or \$10 limit will apply to AE claims when instructions are provided to CWDs as stated above.

## **FRAUD PROVISIONS**

### **DIVISION 20-300.311** **DISQUALIFICATION PENALTIES**

#### **PRWORA**

Increases the disqualification penalties for violating Food Stamp program requirements from six months to one year for the first intentional violation and from one year to two years for the second intentional violation (and the first violation involving a controlled substance).

#### **IMPACT**

Beginning September 22, 1996, the penalties reflected in Division 20-300.311 and 20-300.312 will be increased. The new penalties require that any individual found to have committed an IPV shall be ineligible to participate in the Food Stamp Program as follows:

- One year for the first violation, two years for the second violation and permanently for the third violation.
- Twenty-four months for the first violation of trading food stamps for a controlled substance, and permanently for the second violation.

This does not affect the provisions included in Division 20-300.311(a), or .313.

Counties will continue to submit a DPS 524 Disqualified Recipient Report indicating the increased penalty that applies. This form will be forwarded to the CDSS Fraud Bureau as described in the March 18, 1991, All County Information Notice I-29-91.

### **DIVISION 19-004.4** **CONFIDENTIALITY** **EXCEPTION TO GENERAL RULE - LAW ENFORCEMENT OFFICIALS**

#### **PRWORA**

Effective September 22, 1996, this provision requires that the address, social security number, and (if available) photograph of a food stamp recipient be furnished to any Federal, State, or local law enforcement officer if the officer furnishes the recipient's name and notifies the agency that:

- the individual is fleeing to avoid prosecution, custody, or confinement for a felony; or
- the individual is violating a condition of parole or probation; or
- the individual has information that is necessary for the officer to conduct an official duty related to the member who is fleeing to avoid prosecution, custody, or confinement for a felony or is violating a condition of parole or probation;
- locating or apprehending the individual is an official duty; and
- the request is being made in the proper exercise of an official duty.

#### **IMPACT**

Current regulations restrict the release of information to law enforcement officials. The above information must now be released to law enforcement agencies, upon the request of the officer. This revision relaxes the restriction in these specific instances but otherwise requires that client information remain confidential per existing regulations.

**DIVISION 20-006**  
**INCOME AND ELIGIBILITY VERIFICATION SYSTEM (IEVS) REQUIREMENTS**  
**ALIEN STATUS VERIFICATION SYSTEM (SAVE)**

**PRWORA**

Makes the use of IEVS and SAVE an option.

**IMPACT**

No impact. California will continue to require the use of the IEVS and SAVE systems.

**ADDITIONAL FRAUD PROVISIONS**

**PRWORA**

Provides that fleeing felons and probation/parole violators are ineligible for the Food Stamp program. Implement no later than September 22, 1996, following notification to applicants and recipients on or with the application form, by mass mailings, or by similar method.

**PRWORA**

Provides a requirement for permanent disqualification of persons convicted of trafficking in food stamp benefits with a value of \$500 or more. Implement no later than September 22, 1996, following notification to applicants and recipients on or with the application form, by mass mailings, or by similar method.

**IMPACT**

Division 20-300 regulations will be revised to add section for this provision. When a person is convicted of this crime, CWDs will submit a DPS 524 Disqualified Recipient Report indicating the applicable penalty. The form is to be forwarded to the CDSS Fraud Bureau as described in All County Information Notice I-29-91, dated March 18, 1991.

**PRWORA**

Adds a provision requiring a 10-year disqualification if the individual is found by a state agency (via the Administrative Disqualification Hearing process) or convicted by a federal or state court to have falsified identity or place of residence in order to receive multiple food stamp benefits simultaneously. Implement no later than September 22, 1996, following notification to applicants and recipients on or with the application form, by mass mailings, or by similar method.

**IMPACT**

Division 20-300 regulations will be revised to add a section for this provision. When an individual is found by a state agency or convicted by a federal or state court relating to this provision, CWDs will discontinue the person and submit a DPS 524 Disqualified Recipient Report indicating the length of the penalty that applies. This form is to be forwarded to the CDSS Fraud Bureau as described in All County Information Notice I-29-91, dated March 18, 1991.

## SANCTIONS FOR FOOD STAMP WORK REQUIREMENTS

### M.S. 63-407.55, .61, 62, 63-408.13, .22 and .62 WORK REGISTRATION REQUIREMENTS LENGTH OF FOOD STAMP SANCTIONS

#### PRWORA

Changes the length of sanctions for noncompliance with food stamp work requirements, including FSET, and for voluntary quit. Sanctions now last until the later of the date eligibility is again established or a minimum of one month for the first instance of noncompliance, three months for the second instance, and six months for the third or subsequent instance. Implement no later than September 22, 1996.

#### IMPACT

Under current regulations, these sanctions can be cured through program compliance and last a maximum of two months for work requirement violations and three months for voluntary quit. Sanctions will last until compliance is achieved or the minimum number of months required by PRWORA, whichever is longer.

### M.S. 63-407.51, .52, .63, 63-408, 63-408.1, .2 AND .63 WORK REGISTRATION REQUIREMENTS INDIVIDUAL SANCTIONS

#### PRWORA

Sanction only the individual when the head of household fails to comply with Food Stamp work requirements or voluntarily quits employment. Implement no later than September 22, 1996.

#### IMPACT

Current regulations provide that when a principal work registrant, or individual designated by the household as its head, is disqualified for failing to comply with work requirements or voluntarily quitting a job, the entire household is ineligible for the duration of the sanction. Only individual household members will be subject to Food Stamp sanctions.

### M.S. 63-407.4 et seq and 63-408 WORK REGISTRATION REQUIREMENTS SANCTIONABLE ACTIONS

#### PRWORA

Includes reducing hours worked to less than 30 per week as a sanctionable action.

#### IMPACT

Currently Food Stamp work registrants are sanctioned for:

- Failing to comply with the requirements of the FSET program including failing to participate in job search, workfare, education, or training assignments (M.S. 63-407.41, 63-407.84 et. seq., 63-407.9 et. seq.);

- Failing to respond to a request for additional employment information (M.S. 63-407.42);
- Failing to report to an employer to whom referred (M.S. 63-407.43);
- Failing to accept an offer of suitable employment (M.S. 63-407.44); or
- Voluntarily quitting employment of 20 hours or more per week or which provides wages equal to the federal minimum wage multiplied by 20 hours (M.S. 63-408).

Reducing hours worked to less than 30 hours per week is being added to the list of sanctionable actions.

### **ADDITIONAL PROVISION**

#### **PRWORA**

Provides that the Federal Government will reimburse a state agency 50 percent of state agency costs for program informational activities, not including recruitment activities. This provision is effective September 22, 1996.

#### **IMPACT**

Although program informational activities are covered, there will be no federal reimbursement for Food Stamp Program outreach/recruitment activities.

## NOTICE TO ALL FOOD STAMP RECIPIENTS IMPORTANT -- PLEASE READ

Effective **September 22, 1996**, Federal Food Stamp laws changed. The new rules may change the amount of your food stamp benefits or whether you can continue to get food stamps. The amount of your food stamp benefits depends on your household status. You will get a separate notice if your eligibility ends or your food stamp allotment changes.

The new rules are:

Children under the age of 22, who live with their parents, can no longer have separate food stamp cases.

The earned income of students age 18 and older is counted.

Food Stamps will not be increased if your cash aid decreases because you did not do something you were required to do to get your cash aid. This applies to all Federal, State and local public assistance programs (such as AFDC and GA/GR).

### Food Stamp Fraud Penalties

If you are convicted of an Intentional Program Violation, for having given wrong facts or incomplete facts, you can be disqualified for **one year** for the **first violation** and **two years** for the **second violation** and **forever** for the **third violation**. If you are found guilty in any court of law of having traded food stamps for a controlled substance, you will be disqualified for **two years** for the **first violation** and **forever** for the **second violation**.

If you trade or sell food stamps worth \$500 or more, you can be disqualified **forever**.

Your food stamps can be stopped for **10 years** if you are found to have filed more than one application at the same time and have given false identification or residence information.

If there is an outstanding warrant for your arrest or you are a parole or probation violator, you are **not** eligible to get food stamps.

### Work Requirement Penalties

There are new Work Requirement Penalties effective **September 22, 1996**. If you are required to meet any of the food stamps work rules and you do not meet them, you can be disqualified for a period of time. You can be disqualified even if you are not the head of the household or you do not have the most income. If you are disqualified, other members of your household can still get food stamps if they are eligible.

The food stamp work rules say you must:

- **Keep an appointment or give the county information it asked for,**
- **Go to a job,**
- **Accept a job,**
- **Go on a job search,**
- **Go to a work assignment, including workfare, or to school or training as required by the county.**
- **NOT quit a job,**
- **NOT change the hours you work to less than 30 hours per week.**

You can be disqualified for:

- **One month or until you do what you should do, whichever is later, for the first time you fail to meet food stamp work rules.**
- **Three months or until you do what you should do, whichever is later, for the second time you fail to meet food stamp work rules.**
- **Six months or until you do what you should do, whichever is later, for the third time you fail to meet food stamp work rules.**

**ADDENDUM TO FOOD STAMP APPLICATION**

Due to changes in Food Stamp laws effective September 22, 1996, you need to give us additional information not asked on the current application forms. Please answer the following questions and then read and sign this form when your worker has explained it to you.

1) If you are a lawful alien, have you, your spouse or your parent (if you are under 18 years) worked and had earnings for 10 years or 40 quarters while living in the United States? ..... <input type="checkbox"/> YES <input type="checkbox"/> NO	County Use Column
2) If you are homeless, are you temporarily staying at someone's residence? ..... <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, when did you begin staying at this residence? Date:	At current residence 90 Days or more <input type="checkbox"/> Less than 90 days <input type="checkbox"/>

**Food Stamp Fraud Penalties**

There are new food stamp fraud penalties.

I understand that if I am convicted of an Intentional Program Violation, for having given wrong facts or incomplete facts, I can be disqualified for **one year** for the **first violation** and **two years** for the **second violation** and **forever** for the **third violation**. If I am found guilty in any court of law of having traded food stamps for a controlled substance, I will be disqualified for **two years** for the **first violation** and **forever** for the **second violation**.

If I trade or sell food stamps worth \$500 or more, I can be disqualified **forever**.

If I am found to have filed more than one application at the same time and have given false identification or residence information, my food stamps can be stopped for **10 years**.

**Work Requirement Penalties**

There are new Work Requirement Penalties effective **September 22, 1996**. If you do not meet all the food stamp work rules, you can be disqualified for a period of time and you can be disqualified even if you aren't the head of the household or you do not have the most income.

I understand that I can be disqualified for:

- **One month or until I do what I should do, whichever is later**, for the **first** time I fail to meet food stamp work rules.
- **Three months or until I do what I should do, whichever is later**, for the **second** time I fail to meet food stamp work rules.
- **Six months or until I do what I should do, whichever is later**, for the **third** time I fail to meet food stamp work rules.

**APPLICANT/RECIPIENT CERTIFICATION**

I have completed the questions above and read all the information. I understand the new food stamp rules and penalties apply to my application or reapplication for food stamps. I understand the new rules and agree to comply with them. I **certify that no one in my household is intentionally fleeing a felony warrant for arrest and that no one in my household is a parole or probation violator**. I declare under penalty of perjury under the laws of the United States of America and the State of California that the information contained in this form is true, correct and complete.

SIGNATURE ADULT HOUSEHOLD MEMBER (AUTHORIZED REPRESENTATIVE)	DATE
WITNESS IF YOU SIGN WITH AN X	DATE
ELIGIBILITY WORKER SIGNATURE	DATE

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### **Alien Eligibility Changes**

To get food stamps you **must** be a United States citizen, unless:

- You are a veteran or on active duty in the United States military or you are the spouse or dependent child of a veteran or member of the military, **OR**
- You have 40 calendar quarters of earnings that qualify for Social Security. Effective January 1, 1997, quarters worked while you get federally funded public benefits (such as AFDC) will not count. (Ask your worker which federally funded programs will make your quarters not count), **OR**
- You are in the United States under certain sections of the Immigration and Nationality Act. You may be eligible for five years from the date you:
  - were admitted as a refugee under Section 207, **OR**
  - have been granted asylum under Section 208, **OR**
  - had your deportation stayed under Section 243(h)

**NOTE: Don't ask for a state hearing or call the County about this change now. If you get a Notice of Action, you will be able to ask for a state hearing.**

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